S.B. Criminal Misc. Bail Application No.3523/2006

Date : 22.08.2006.

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. M.K. Garg for the applicants.
Mr. V.R. Mehta, Public Prosecutor.
Mr. Mahipal Bishnoi for complainant.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and learned counsel for the complainant and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that no investigation is to be made from the applicants and offence alleged against the applicants is under Section 9/15 of the Wild Life Protection Act. He submits that the applicants are in jail and trial is likely to take time, therefore, they may be be enlarged on bail.

On the other hand, learned Public Prosecutor and learned counsel for the complainant have opposed the bail application.

I have considered the submissions made before me and carefully perused the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants(1) Mahavir alias Beria alias Veer son of Girdhari alias Harnesh (2) Sarjeet son of Chandra Ram (3) Balbir son of Chandra Ram and (4) Sri Chand son of Kula Ram shall be released on bail in FIR No.64/2006 P.S. Napasar, District Bikaner, provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

vijayant